

RULES OF PROCEDURE OF THE
NEW JERSEY STATE INDUSTRIAL SAFETY COMMITTEE

ADOPTED BY MEMBERSHIP @ MARCH 14, 2001 MEETING

APPROVED BY COMMISSIONER ON
NEW JERSEY DEPARTMENT OF LABOR
PUBLIC SAFETY AND OCCUPATIONAL SAFETY AND HEALTH
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FOREWARD

The origin of the New Jersey State Industrial Safety Committee was Chapter 334, Laws of 1920, approved April 21, 1920, which created the Administrative Committee of the State Safety Museum. This occurred during the tenure of Commissioner of Labor Lewis T. Bryant.

In these early days, when little was known about safety equipment, it was thought that much could be accomplished by making available current information on devices which had been found effective in reducing or preventing industrial injuries. The State Safety Museum was housed at a location open to those interested in industrial safety. During changes of administration and with the emphasis on economical budgets, adequate exhibit space for the Safety Museum could not be maintained and the items of the exhibit were dispersed.

In July 1935, the Administrative Committee of the State Safety Museum delegated its responsibility to its offspring, the New Jersey State Industrial Safety Committee. In addition to the duties of the Administrative Committee of the State Safety Museum, further duties and responsibilities were given to it by successive Commissioners of Labor or, Commissioners of Labor and Industry, who at all times exercised their prerogatives of appointment of the membership and acted as Honorary Chairmen of the Committee.

One of the effects of World War II was increased activity in the field of industrial safety, which at that time was designated as industrial protection. It was recognized early in the war that unwarranted loss of manpower and material through industrial accidents could not be tolerated. At the end of the war, this same philosophy continued.

The New Jersey State Industrial Safety Committee was reorganized under the personal direction of Commissioner of Labor, Harry C. Harper, and given greater responsibilities. It became, in effect, a Committee representing industry, advising the Commissioner in all matters relating to industrial safety.

Fred M. Rosseland, Secretary-Manager, New Jersey State Safety Council, was the first Chairman after the reorganization and continued until his retirement in October 1951. The Committee will never be able to pay its debt to Mr. Rosseland and the group that worked with him. It was appreciated that a Committee operating exclusively on a State level might not be in touch with conditions in the Counties so the plan of organizing County Subcommittees was initiated.

This was complicated by industrial safety activities being conducted by various organizations ranging from local YMCA Committees to Committees of the New Jersey Safety Council. Duplication of effort and potential misunderstandings of intent and purpose were avoided until it was possible to organize County Subcommittees in many Counties.

After reorganization at the end of World War II, funds carried in the name of the Administrative Committee of the State Safety Museum were transferred to the New Jersey State Industrial Safety Committee and augmented by income from booths and exhibit space at industrial safety conferences. Several of these conferences were sponsored by Governor Driscoll and Governor Meyner, who both added to the impetus and prestige of the industrial safety movement in New Jersey.

The expenditure of funds was carefully regulated and mostly used to purchase equipment, films and now videotapes for the promotion of and use in occupational safety programs. This equipment was kept in the custody of the Bureau of Engineering and Safety (now the Division of Public Safety and Occupational Safety and Health) of the Department for this purpose. The title was in the name of the New Jersey State Industrial Safety Committee but in accord with the opinion of the State Auditor, it was considered desirable for the Department of Labor to take title, which was done.

The original Constitution and Bylaws of the New Jersey State Industrial Safety Committee was prepared by a Special Subcommittee with J.E. Kane as Chairman. It was approved by the whole Committee and ratified by then Commissioner Carl Holderman on December 20, 1957.

The Constitution and Bylaws were amended by another Special Subcommittee with A.R. Hasbrouck, Jr., Chairman. The amendments were approved by the New Jersey State Industrial Safety Committee on December 16, 1964, in accordance with the approval procedure for amendments. They were ratified by Deputy Commissioner Samuel DiUaldi on behalf of the Commissioner of Labor and Industry on May 20, 1965.

The Constitution and Bylaws were again revised, combined, rewritten and were then known as the Rules of the New Jersey State Industrial Safety Committee. This work was done by a Special Committee with E.S. Moffett, Chairman. The Rules of the New Jersey State Industrial Safety Committee were approved by the State Committee by letter ballot during November, 1970 and ratified by Assistant Commissioner Herbert J. Heilmann on February 6, 1971.

Further revisions, proposed in December 1980 and developed by a Subcommittee Chaired by Albert L. Anthony were adopted on March 25, 1981 by a vote of the entire General Committee. In 1985-86 and again in March of 1988, additional revisions were developed by the Special Subcommittee again Chaired by Albert L. Anthony. These changes were approved by the General membership in October 1986 and March 1988.

The latest revisions were developed in March 1994 by a Special Subcommittee chaired by Ernest A. Niles. A proposed committee name change to incorporate the inclusion of public employees in the Committee and the revision of the County representative ratio were the primary reasons for this revision. The final form was approved by the General membership in December 1995 and were ratified by Commissioner Peter J. Calderone on September 1996. After this, a major effort was made to update the membership roster, reassign members to proper county representation and place in an honorary status those longtime members who have retired but are still active and interested.

In January 2001, some deletions (Industrial Safety Board), additional definition (Ex-Officio Member) as well as some minor editorial corrections and changes were made. The final form was approved by the General Membership in March 14, 2001 and ratified by Commissioner Mark B. Boyd on 2001.

Under all Commissioners from Lewis T. Bryant to the present incumbent, Mark B. Boyd, activities and responsibilities in the field of occupational safety & health have continually been expanded. While no Commissioner had abdicated his responsibilities or prerogatives as relating to occupational safety, no important occupational safety project has been initiated by the Department without requesting the recommendations of the Committee and to date no program has been undertaken that has not had the endorsement of the Committee. Many important regulations have been prepared with the voluntary assistance of safety specialists in the employ of industry. The Committee continues its occupational safety and health activities as a working example of how industry, the public employer and government can function together for the betterment of the State.

The Worker Health and Safety Act of 1965, established the New Jersey State Industrial Safety Committee as a statutory body. The Act establishes the functions and membership requirements of the Committee. These rules are consistent with the requirements of the Act.

The Chairmen of the New Jersey State Industrial Safety Committee have been:

Term

-51 F.M. Rosseland
51-56 Kraissl, Jr.
57-58 O. Boileau
59-60 E.G. Hutzley
61-62 A.R. Hasbrouck, Jr.
63-64 N. Longee
65-66 J.C. Sewell
67-68 W.D. Renner
69-70 W.H. Taylor, Jr.
71-72 A.L. Anthony
73-74 W.J. Kerns
75-76 J. Turk
77-78 P.W. Johnson
79-80 E.S. Moffett
81-82 A. Lewis
83-83 J.W. Valentine
84- H.W. Siegel
-84 J. Graham

85-86 J.P. Micallef
86-88 R.C. Schwartz
89-90 E.A. Niles
91-92 C. Dancer
93-94 E. Moffet, Jr.
95-96 W. Margareta
97-98 J. Gluchowski
99-00 W. Edmonds
01-02 W. Hering
03-04 A. Figuccio
05- J. Clark

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ARTICLE 1. TITLE

1.1 This document shall be known as the Rules of the New Jersey State Industrial Safety Committee.

ARTICLE 2. OBJECTIVE

2.1 It shall be the function of this Committee to:

- a. Advise the Commissioner of Labor with respect to rules proposed to be adopted under the Act;
- b. Advise the Commissioner on matters of occupational safety and health and safety promotion and to;
- c. Serve also as a resource to the Commissioner regarding occupational accident and illness prevention generally.

ARTICLE 3. DEFINITIONS

3.1 The following words and terms, when used in these rules shall have the following meanings, unless the context clearly indicates otherwise.

“Act” means the Worker Health and Safety Act, NJSA 34:6A-1 et seq.

“Area” shall mean the counties of the State grouped into three parts, namely:

1. “Northern Area” means the counties of Bergen, Essex, Hudson, Morris, Passaic, Sussex and Union; and
2. “Central Area” means the counties of Hunterdon, Mercer, Middlesex, Monmouth, Ocean, Somerset, Warren; and
3. “Southern Area” means the counties of Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester and Salem.

“Commissioner” means the Commissioner of Labor or the authorized designee of the Commissioner.

“Committee” means the New Jersey State Industrial Safety Committee as established under the Act.

“Cooperating Organization,” means an association of professional persons concerned with the effective promotion of safety and health within the State of New Jersey.

“County Committee,” means an association of people interested in safety and health representing a specific geographical area of the State.

“Department,” means the Department of Labor.

“Employer,” means any person or corporation, partnership, individual proprietorship, joint venture, firm, company or other similar legal entity who engages the services of an employee and who pays his wages, salary or other compensation; and any person exercising supervision of employees on an employer’s behalf. Employer shall also mean public employer and shall include any person acting on behalf of, or with the knowledge and ratification of: (1) The State, or any Department, Division, Bureau, Board, Council, Agency or Authority of the State, except any BiState Agency or (2) Any County, Municipality, or any Department, Division, Bureau, Board, Council, Agency or Authority of any County or Municipality, or of any school district or special purposes district created pursuant to law.

“Ex-Officio,” means a non-voting representative from any of the affiliated groups. These members are not counted for the membership limit under 4.1.c.

“General Committee,” means committee.

“NJSA,” means New Jersey Statutes Annotated.

“Place of employment,” also known as a “unit,” means any building or other premises occupied by an employer in or about which an employee customarily is suffered or permitted to work.

“Shall,” means a mandatory requirement.

ARTICLE 4. MEMBERSHIP OF COMMITTEE

4.1 Appointment to Committee

a. Membership on the Committee shall be by appointment by the Commissioner and members shall serve at the pleasure of the Commissioner.

b. In appointing members, the Commissioner shall, insofar as possible, give representation to the various geographical areas of the State and the different kinds of places of employment subject to the Act.

c. The membership of the Committee shall not exceed 100.

d. The Committee shall recommend qualified persons to the Commissioner for appointment to membership.

4.2 Distribution of Membership

a. In order to provide representation on the Committee to all geographical areas of the State, there shall be one representative for the first 5000, or fraction thereof, places of employment (units) in each county, plus one representative for each additional 5000, or fraction thereof, places of employment (units) in each county.

b. All other members of the Committee shall serve AT-LARGE.

c. No person who is a member of the Committee on the effective date of these rules shall be dropped from membership because of the provisions of 4.2.a.

4.3 Qualification for Membership

a. To be considered for membership on the Committee, a person shall have a prominent part in the field of occupational safety and health, or be a person responsible for occupational safety and health matters in the organization by which the person is employed.

b. Continuing membership shall be contingent upon continued activity in the field of occupational safety and health.

c. Any person who was an active member of the Committee at the time of retirement from the occupational safety and health field may, upon request, be considered for Honorary Membership by the Executive Committee. Upon approval, they shall be retained on the membership roster for life, but will not be counted on the membership limit under 4.1c.

4.4 Continuation of Membership

a. Members, except Honorary Members and Ex-Officio Members, shall be required to attend 50 percent of the regular meetings of the Committee in each calendar year.

b. Members who do not attend 50 percent of the regular meetings of the Committee in each calendar year, may be dropped from the membership.

c. The Executive Committee shall be empowered to remove any member of the General Committee if the member fails to attend the required number of meetings, discontinues activities in the safety or health field or for other justifiable cause. Such action shall be by a majority vote of the members of the Executive Committee present at a regular meeting of the Executive Committee.

ARTICLE 5. OFFICERS

5.1 Designation

a. The officers of the Committee shall consist of General Chairperson, General Vice Chairperson, three Area Chairpersons, three Area Vice Chairpersons and a Treasurer.

b. A designee of the Commissioner shall serve as Executive Secretary.

5.2 Duties of Officers

a. The General Chairperson shall:

(1) Preside at all meetings of the Executive Steering Committee and the General Committee.;

(2) Appoint all Standing Subcommittees and Special Subcommittees;

(3) Verify all checks with the Treasurer for authorized expenditures;

(4) Convey to the Commissioner the written recommendations of the Committee concerning proposed rules; and

(5) Perform such other duties as may be necessary to the proper functioning of the Committee.

b. The General Vice Chairperson shall accept duties as assigned by the General Chairperson and preside in the absence of the General Chairperson.

c. The Area Chairperson shall encourage and coordinate the activities of the County Committees and shall recommend to the Standing Subcommittee on Membership the names of persons qualified for appointment to membership on the Committee.

d. The Area Vice Chairperson shall assist the Area Chairperson in the dispatch of his duties and act in all matters in the absence of the Area Chairperson.

e. The Executive Secretary shall:

(1) Make and preserve a record of the proceedings of the General Committee and the Executive Steering Committee,

(2) Issue notices of all meetings,

(3) Maintain a list of current members,

(4) Conduct the general correspondence of the Committee,

(5) Report at each regular meeting of the Committee on the safety and health activities of the Department,

(6) Report at each regular meeting of the Committee on legislation and other matters of interest to the membership.

f. The Treasurer shall:

(1) Receive and have custody of all funds,

(2) Disburse monies by check, verified by the General Chairperson upon receipt of bills due,

(3) Keep the funds deposited in the name of the New Jersey State Industrial Safety Committee as approved by the Executive Committee,

(4) Present all unbudgeted bills to the Committee for approval, and

(5) Prepare a budget covering expenditures and operating expenses for the coming year and present it at the December meeting of the Committee for approval.

ARTICLE 6. COMMITTEES AND SUBCOMMITTEES

6.1 Executive Occupational Safety and Health Steering Committee

a. The New Jersey State Industrial Safety Committee shall be guided by an Executive Occupational Safety and Health Steering Committee composed of the officers of the Committee, the immediate past General Chairman, and the Chairpersons of the Standing Subcommittees.

b. The Executive Steering Committee in (a) above may create Special Subcommittees for the purpose of accomplishing a specific task. Such a special Subcommittee would be the Special Subcommittee on Nominations.

c. The Executive Steering Committee shall:

(1) Determine the functions of and review the work of the Standing Subcommittees, and

(2) Refer necessary matters for opinion and recommendations to the General Committee.

6.2 Standing Subcommittees

a. The New Jersey State Industrial Safety Committee shall have the following Standing Subcommittees:

(1) A Standards & Regulations Subcommittee,

(2) A Membership Subcommittee, and

(3) A Safety Promotion Subcommittee.

b. In appointing members of Standing Subcommittees, the General Chairperson shall give representation to all areas of the State insofar as possible.

c. The General Chairperson of the Committee and the Executive Secretary shall be Ex-Officio members of each Standing Subcommittee.

6.3 Special Subcommittees

a. The General Chairperson, with the consent of the Committee, shall:

(1) Appoint such Special Subcommittees as deemed appropriate to meet special tasks that may arise.

(2) Appoint the Chairman and the members of Special Subcommittees as the task demands.

b. The Special Subcommittee on Nominations shall consist of a Chairperson, the immediate past General Chairperson, and at least three additional members.

c. The Special Subcommittee on Audit shall consist of the Vice Chairperson of the General Committee as Chairperson, the immediate past Treasurer, the Treasurer and one other member of the General Committee.

6.4 Duties of Standing Subcommittees and Special Subcommittees

a. The Standing Subcommittee on Standards and Regulations shall study proposed rules presented by the Commissioner to the Committee for review. The sequence of the presentation and review shall be as follows:

(1) Proposed rules presented by the Commissioner shall be distributed to all members of the Committee. Members shall submit their comments to the Executive Secretary within 45 days.

(2) Not more than 60 days after a proposal is submitted by the Commissioner, the Subcommittee shall meet to review the comments submitted by the membership of the Committee.

(3) The Standing Subcommittee on Standards and Regulations shall prepare official recommendations concerning the proposed rules for review and final approval by the Committee and shall submit its recommendations to the Committee for action at a regular meeting or a special meeting called for this purpose.

b. The Standing Subcommittee on Membership shall review qualifications of individuals recommended to it for appointment as a member to the Committee and shall make recommendations concerning membership to the Executive Steering Committee.

c. The Standing Subcommittee on Safety Promotion shall be charged to administer the safety awards program.

d. The Special Subcommittee on Nominations shall submit a list of nominations for officers of the Committee at the September meeting in each election year.

e. The Special Subcommittee on Audit shall perform the audit preferably upon the election of a new Treasurer.

ARTICLE 7. MEETINGS OF THE GENERAL COMMITTEE AND EXECUTIVE COMMITTEE

7.1 Date of Meetings

a. The regular meetings of the General Committee shall be held on the third Wednesday of March, June, September and December of each year except as provided in (b) below.

b. The General Chairperson may change the date of a regular meeting of the General Committee for a good cause.

7.2 Location

a. The place of meeting of both the Executive Committee and the General Committee shall be decided by the Chairperson, and shall be located to provide an equalization of travel for the members.

7.3 Quorum

a. The presence of a majority of the Executive Steering Committee and a minimum of ten (10) other members shall constitute a quorum.

7.4 Special Meetings

a. Special meetings of the General Committee may be held at the call of the General Chairperson.

b. Written notice stating the date and location of the meeting shall be mailed by regular mail to all members at least 10 days in advance of the meeting.

7.5 Order of Business

a. The order of business at the meetings of the General Committee shall be as follows:

- (1) Approval of Minutes of the Previous Meeting.
- (2) Report of the General Chairperson.
- (3) Report of the Treasurer.
- (4) Report of the Executive Secretary.
- (5) Report of the Area Chairperson.
- (6) Report of the Standing Subcommittees.

- (7) Report of Special Subcommittees.
- (8) Old Business.
- (9) New Business.
- (10) Adjournment.

7.6 Procedure

- a. Roberts Rules of Order shall apply in the conduct of all Committee business.

ARTICLE 8. NOMINATIONS AND ELECTIONS

8.1 Nominations

a. The Nominating Subcommittee shall submit a slate of official nominees for the elective offices of the General Committee to the regular meeting of the General Committee held in the month of September of each election year. Additional nominations may be made by any member at the September meeting and nominations shall then be closed.

b. All nominees shall indicate their willingness to serve.

c. Nominees for the office of Area Chairperson and Area Vice Chairperson shall be employed in the area they are to represent.

8.2 Elections

a. The election of officers shall be held at the December meeting of each even number calendar year.

b. Officers shall be elected for a two year term.

c. No member shall be elected to the Office of General Chairperson for a full term more than once.

d. No member shall be elected to the Office of General Vice Chairperson for a full term more than once.

e. Newly elected officers shall assume their office at the December Meeting as soon as the election results are made known.

f. In the event any elective office becomes vacant due to resignation, death or removal

from membership, in accordance with the provisions of 4.4, the General Chairperson with the advice and consent of the Executive Steering Committee shall be empowered to appoint a member to fill the unexpired term of office in the position which has become vacant.

g. In the event the office of General Chairperson becomes vacant due to resignation, death or removal from membership in accordance with the provisions of 4.4, the Executive Steering Committee shall be empowered to appoint a member to fill the unexpired term of office.

h. A member appointed to fill the unexpired term of office in the position of General Chairperson or General Vice Chairperson shall be eligible for nomination and election to a full term of office in such position at the next regularly scheduled election.

ARTICLE 9. COUNTY COMMITTEE REPRESENTATION

9.1 Organization

a. The objective of the General Committee shall be to develop a broad base of knowledgeable safety and health personnel at the County level.

b. County representation on the General Committee shall be as specified in 4.2a and 4.3.

c. The Committee shall be authorized to affiliate with one representative Group in each County or area from which qualified prospective members may be drawn.

9.2 Criteria for Affiliation

a. In order for the County Committee to affiliate with the General Committee, the County Committee shall:

(1) Have as a primary objective the reduction of occupational injuries and illnesses in the workplace.

(2) Establish meetings and other media methods to discuss safety and health needs;

(3) Act as a liaison between the General Committee and the County places of employment on matters pertaining to safety and health;

(4) Transmit to the General Committee any comments on matters pertaining to safety and health issues;

(5) Provide a local, broad-base, source of information and pertinent material concerning occupational safety and health in the fullest sense; and

(6) Give opportunity for the exchange of ideas or related problems of members of this work.

9.3 Chief Officer of the County Committee

The Chief Officer of a County or Area Committee shall be an Ex-officio member to the General Committee for his or her term in office.

ARTICLE 10. REPRESENTATION OF COOPERATING ORGANIZATIONS

10.1 Chief Officer of Cooperating Organization

The Chief Officer of any cooperating organization shall be an Ex-officio member to the General Committee for his or her term in office.

ARTICLE 11. AMENDMENTS

11.1 Amendment

(a) Any proposal to amend these rules shall first be presented for discussion at a regular meeting of the General Committee.

(b) If approved by majority vote at the regular meeting, a letter ballot shall be circulated by first class mail.

(c) If the letter ballot is approved by two-thirds of the members returning ballots within thirty days after mailing, the amendments shall be considered approved.

(d) The proposed amendment or amendments shall then be presented to the Commissioner for ratification.

ARTICLE 12. EFFECTIVE DATE

12.1 These rules shall become effective upon approval of the New Jersey State Industrial Safety Committee and ratification by the Commissioner.